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The following constitutes  
the order of the court. Signed September 19, 2011

  
\_\_\_\_\_  
Roger L. Efremsky  
U.S. Bankruptcy Judge

8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 **In re:** Case No. 11-47773 RE

11 **JOE MURL BAILEY and**  
12 **ETTA JEAN PENN-BAILEY,**  
13 **Debtors.**

14 **ORDER VALUING LIEN OF MERIWEST  
CREDIT UNION**

15 On August 26, 2011, Joe Bailey and Etta Penn-Bailey (hereinafter  
16 Debtors) served a motion to value the lien of Meriwest Credit Union  
17 (hereinafter Lienholder) against the property commonly known as 2571  
18 San Leandro Blvd., San Leandro, CA 94578, which lien was recorded in  
19 Alameda County on or about August 15, 2006 as document 2006312527  
20 (hereinafter the Lien).

21 The court finds that notice of the motion upon Lienholder was  
22 proper. Lienholder having failed to file timely opposition to Debtors'  
23 motion, the court hereby orders as follows:

24 (1) For purposes of Debtors' chapter 13 plan only, the Lien is  
25 valued at zero, Lienholder does not have a secured claim, and the Lien

may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

(2) This order shall become part of Debtors' confirmed chapter 13 plan.

(3) Upon entry of a discharge in Debtors' chapter 13 case, the Lien shall be voided for all purposes, and upon application by Debtors, the court will enter an appropriate form of judgment voiding the Lien.

(4) If Debtors' chapter 13 case is dismissed or converted to one under another chapter before Debtors obtain a discharge, this order shall cease to be effective and the Lien shall be retained to the extent recognized by applicable nonbankruptcy law, and upon application by the Lienholder, the court will enter an appropriate form of order restoring the Lien.

(5) Except as provided by separate, subsequent order of this court, the Lien may not be enforced so long as this order remains in effect.

\* \* \* END OF ORDER \* \* \*

## COURT SERVICE LIST

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Attn: Officer or Managing Agent  
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